IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 3RD APRIL 2007 / 13TH CHAITHRA 1930

WP(C).No. 10602 of 2007(K)

PETITIONER:

SHIYAS,S/O.IBRAHIM,AGED 23 YEARS,
RESIDING AT PADUVINGAL,GANESAMANGALAM WEST,
VADANAPPALLY,THRISSUR DISTRICT.

BY ADV. SRI.M.K.ABOOBACKER
SRI.MANSOOR.B.H.

RESPONDENTS:

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1. THE DISTRICT COLLECTOR,THRISSUR.

2. SIVARAMAN,DEPUTY TAHASILDAR,CHAVAKKAD.

3. THE SUB INSPECTOR OF POLICE,VADANAPPALLY

4. THE GEOLOGIST,THRISSUR.

BY GOVERNMENT PLEADER SRI. I.V. PROMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

W.P.(C)NO.10602 OF 2007

DATED THIS THE 3rd DAY OF APRIL, 2007

JUDGMENT

The petitioner claims to be a Government contractor for the construction of the work of Vellamkulam Canal under the District Panchayat. The petitioner purchased ordinary sand from one Meenakshi, who has been extracting sand from her property as per the Ext.P1 permit issued by the 4th respondent. While the sane was being transported by the petitioner, the 2nd respondent is alleged to have stopped the vehicle in the guise of checking and demanded from the driver the illegal gratification, which the driver refused to give. It is alleged that the 2nd respondent therefore took away the original of the pass for transporting the sand and the door key of the vehicle and the same was not returned to the driver. Therefore, the driver was forced to unload the sand by the roadside and report to the petitioner.

2. In the above circumstances, the petitioner filed Ext.P4 complaint against the 2nd respondent highlighting the above facts and seeking intervention of the 1st respondent. It is stated in the writ petition that the 1st respondent has forwarded the complaint to the R.D.O. Thrissur for enquiry and report. In the meanwhile, the 2nd

respondent is reported to have made a complaint against the petitioner's driver and lorry allegedly as a retaliatory action, on the basis of which the 3rd respondent initiated proceedings. The petitioner now seeks a direction to the 1st respondent to complete the proceedings on Ext.P4 expeditiously, at any rate, before the 3rd respondent initiates any proceedings on the complaint alleged to have been filed by the 2nd respondent.

3. I have heard the learned counsel for the petitioner as also the learned Government pleader. In the facts and circumstances of the case, I am satisfied that it is only just and proper that the 1st respondent shall dispose of Ext.P4 expeditiously. This, he shall do within a period of two months from the date of receipt of a copy of this judgment. In the meanwhile, the 3rd respondent shall not take further proceedings on the alleged complaint filed by the 2nd respondent or seize the petitioner's vehicle pursuant to that.

The writ petition is disposed of as above.

S. SIRI JAGAN, JUDGE

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